

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:16CR256
)	
vs.)	
)	
ALAN RUSSELL,)	ORDER
)	
Defendant..)	

This matter is before the court on the Plaintiff's unopposed Motion to Continue Trial [118]. Counsel advises that a witness critical to this government's case-in-chief has medical issues that will prevent the defendant from testifying. For good cause shown,

IT IS ORDERED that the unopposed Motion to Continue Trial [118] is granted as follows:

1. The jury trial, now set for August 29, 2017 is continued to **October 10, 2017**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 10, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

4. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **August 25, 2017**. The objecting party must comply with all requirements of NECrimR 59.2.

DATED August 18, 2017.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**